

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

JOSE SANCHEZ RAMOS

Plaintiff,

v.

BAWADI, INC.

d/b/a Bawadi Mediterranean Grill and Sweets Café

and KHALID MEKKI

Defendants

Case No. 1:17-cv-924-LMB-TCB

Request to Clerk for Entry of Default

Plaintiff José Sanchez Ramos hereby requests that the Clerk enter Defendants' default. In support of this request, Plaintiff states as follows.

Plaintiff filed his complaint on August 15, 2017. On August 16, Plaintiffs sent copies of the complaint to Defendants along with the forms for notice-and-waiver under Rule 4(d). (Ex. A, Declaration of Nicholas Marritz at ¶3. When Defendants failed to return the waiver-of-service forms within 30 days, the Clerk issued summonses for both Defendants. (See ECF Nos. 2–3; Ex. A, Declaration of Nicholas Marritz at ¶4). Plaintiffs then served the complaint and summonses on both Defendants via private process server on September 29. (ECF No. 4). Upon being served, Defendants had 21 days to respond. Fed. R. Civ. P. 12(a)(1)(A)(i). This made their responses due by October 20. Neither Defendant filed any answer or other responsive pleading by that date.

Under Rule 55(a), if a party fails to respond to a complaint within the allotted time, the clerk must enter that party's default. Thus, Plaintiffs respectfully request that the Clerk note the default of both Defendants.

Respectfully submitted this 27th day of October, 2017.

/s/ Nicholas Cooper Marritz

Nicholas Cooper Marritz (VSB No. 89795)

LEGAL AID JUSTICE CENTER

6066 Leesburg Pike, Suite 520

Falls Church, VA 22041

Tel: (703) 720-5607

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nicholas@justice4all.org

Counsel for Plaintiff

Certificate of Service

I hereby certify that on October 27, 2017, I served Defendants with the foregoing Request to Clerk for Entry of Default via U.S. Mail at the following address:

Khalid Mekki

Bawadi Mediterranean Grill and Sweets Café

5916 Leesburg Pike

Falls Church, VA 22041

Bawadi, Inc.

Khalid Mekki, Registered Agent

5916 Leesburg Pike

Falls Church, VA 22041

/s/ Nicholas Cooper Marritz

Nicholas Cooper Marritz (VSB No. 89795)

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